

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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In Re

Case No. 10-41250dem

HENRY PATERNITI,

**NOTICE OF MOTION TO
LIFT AUTOMATIC STAY**

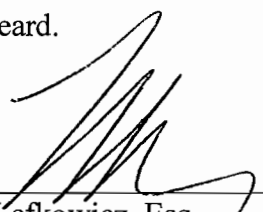
Debtor

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S I R S :

PLEASE TAKE NOTICE, that upon the annexed affidavit of **ANTHONY J. PATERNITI**, and upon all of the prior pleading and proceedings heretofore had herein, the undersigned will move this Court for an order pursuant to 11 U.S.C. 362 (d) (1) of the Bankruptcy Code, lifting and vacating the automatic stay to allow movant to exercise any of its rights in the instant matter with respect to Anthony Paterni's application in the Surrogate's Court of the State of New York, County of Queens for the Judicial Settlement of the Estate of Rita Visalli, and seeking a waiver of the stay under Bankruptcy Rule 4001 (a) (3), and such other and further relief as to the court may seem just and proper.

This motion shall be heard before the Honorable Dennis E. Milton, Bankruptcy Judge, at the U.S. Bankruptcy Court, 271 Cadman Plaza East Room 3577, Brooklyn, New York 11201, on June 29th at 2:00 pm or as soon thereafter as counsel can be heard.

Dated: New York, New York
May 13, 2010



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